



09 / 763994

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By

Date 3-4-01

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

In response to the "Notification of Missing Requirements dated April 02, 2001, the following is provided to conform the above-referenced application with the requirements of 37 C.F.R. §1.821 through §1.825. Enclosed herewith are:

- 1) a copy of the Notification;
- 2) a computer readable disk;
- 3) a paper copy of the sequence listing;
- 4) a statement under 1.821(f).

It is respectfully submitted the contents of the paper version of the Sequence Listing provided in the

Serial No. X-12239

published application, filed June 24, 1999, and the computer readable form of the sequence listing are identical.

It is further submitted that the incorporation of the computer readable form of the sequence listing does not represent new matter.

Respectfully submitted,



Robert L. Sharp  
Attorney/Agent for Applicants  
Registration No. 45,609  
Phone: 317-276-5332

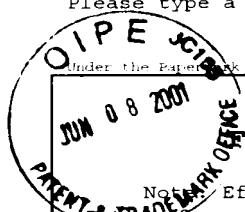
Eli Lilly and Company  
Patent Division/RS  
Lilly Corporate Center  
Indianapolis, Indiana 46285

April 29, 2001

Please type a plus sign (+) in the box this box → +

09/763,994 (12/97)  
Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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## FEES TRANSMITTAL

Note: Effective November 10, 1998.  
Fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 130.00)

**METHOD OF PAYMENT** (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 05-0840

Deposit Account Name Eli Lilly and Company

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2.  Payment Enclosed:

Check  Money Order  Other

## FEES CALCULATION

### 1. FILING FEE

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)** (\$)

Total Claims	Independent Claims	Multiple Dependent Claims (first time)	Extr a	Fee from below	Fee Paid
				X 18	=
				X 80	=
				270	=

**SUBTOTAL (1)** (\$)

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description
106	18	206	9	Claims in excess of 20
102	80	202	38	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	74	208	38	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20, and over original patent

**SUBTOTAL (2)** (\$)

\*\* or number preceding part, if greater. For fees on claims, see above.

Complete if Known	
Application Number	09/763,994
Filing Date	August 30, 1999
First Named Inventor	Brian Taylor Edmonds
Group Art Unit	
Examiner Name	John L. Anderson
Attorney Docket Number	X-12239

## FEES CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	25	Surcharge late filing fee or late	130.
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
139	130	109	130	Non-English specification	
147	2,520	147	1,520	For filing a request for re-examination	
112	920*	111	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	112	1,840*	Requesting publication of SIR after Examiner action	
105	110	205	55	Extension for reply within first month	
116	390	117	195	Extension for reply within second month	
117	890	117	445	Extension for reply within third month	
108	1,390	108	795	Extension for reply within fourth month	
118	1,890	118	945	Extension for reply within fifth month	
119	310	109	155	Notice of Appeal	
120	310	120	155	Filing a brief in support of an appeal	
121	270	121	135	Request for oral hearing	
138	1,510	108	1,510	Petition to institute a public use proceeding	
140	110	140	55	Petition to revive-unavoidable	
141	1,240	141	620	Petition to revive unintentional	
142	1,210	142	705	Utility issue fee (or reissue)	
143	430	143	215	Design issue fee	
144	580	144	290	Plant issue fee	
142	130	121	130	Petitions to the Commissioner	
123	50	117	50	Petitions related to provisional applications	
126	240	126	140	Submission of information D. disclosure Stmt.	
581	40	181	40	Recording each patent assignment per property (times number of properties)	
146	710	146	355	Filing a submission after final rejection (37 CFR 1.129(a))	
147	710	147	355	For each additional invention to be examined (37 CFR 1.129(b))	
159	710	159	355	Request for Continued Examination (RCE)	
160	900	160	500	Request for expedited examination of a design application	
Other fee (specify)					
Other fee (specify)					

\*Required by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 130

Complete if applicable	
Reg. Number	45,603
Date	04/24/2001

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By

Date

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09/763,994 (12/97)  
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**FEES CALCULATION**

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Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)** (\$)

2. CLAIMS		Extr a	Fee from below	Fee Paid
Total Claims		-20**=	18	
Independent Claims		-3**=	80	
Multiple Dependent Claims (first time)			270	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	39	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	78	209	39	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEES CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	130.
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive-unavoidable	
141	1,240	241	620	Petition to revive-unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design Issue Fee	
144	580	244	290	Plant Issue Fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
<b>SUBTOTAL (3)</b> (\$ 130)					

Complete (if applicable)

Reg. Number 45,609

Date 04/24/2001

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By

Date

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09/763994

PRO-SB/17 (12/97)

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JUN 08 2001  
PATENT & TRADEMARK OFFICE

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SUBTOTAL (1) (\$)					

2. CLAIMS	Extr a	Fee from below	Fee Paid
Total Claims	-20**=	<input type="checkbox"/> 18	= <input type="checkbox"/>
Independent Claims	-3**=	<input type="checkbox"/> 80	= <input type="checkbox"/>
Multiple Dependent Claims (first time)		<input type="checkbox"/> 270	= <input type="checkbox"/>

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
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119	310	219	Notice of Appeal	
120	310	220	Filing a brief in support of an appeal	
121	270	221	Request for oral hearing	
138	1,510	228	Petition to institute a public use proceeding	
140	110	240	Petition to revive-unintentional	
141	1,240	241	Petition to revive-unintentional	
142	1,210	242	Utility issue fee (or reissue)	
143	430	243	Design Issue Fee	
144	580	244	Plant Issue Fee	
122	130	122	Petitions to the Commissioner	
123	50	113	Petitions related to provisional applications	
126	240	126	Submission of Information Disclosure Stmt.	
581	40	581	Recording each patent assignment or property (times number of properties)	
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179	710	279	Request for Continued Examination (RCE)	
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Other fee (specify)				
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